

Docket Item # 8
SPECIAL USE PERMIT #2003-0008

Planning Commission Meeting
April 1, 2003

ISSUE: Consideration of a request for an amendment to the existing conditions of the special use permit.

APPLICANT: On-Site Sourcing
by Harry P. Hart, attorney

LOCATION: 800 - 840 North Henry Street

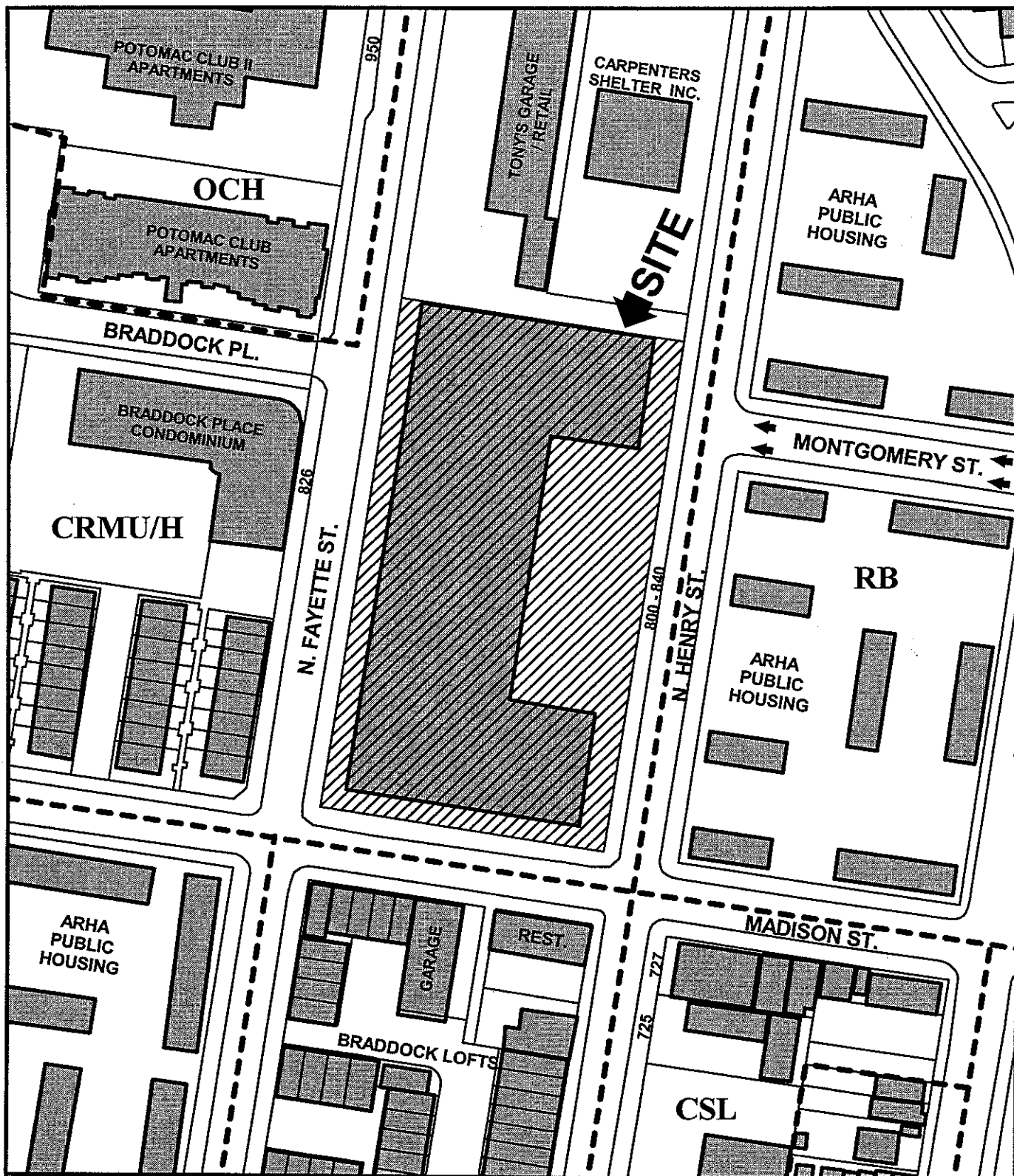
ZONE: CRMU-H/Commercial Residential Mixed Use

PLANNING COMMISSION ACTION, APRIL 1, 2003: On a motion by Mr. Komoroske, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the special use permit, subject to compliance with all applicable codes and ordinances and staff's recommended conditions, and to amend Condition #5d. The motion carried on a vote of 7-0.

Reason: The Commission agreed with the staff analysis but was willing to grant the applicant an additional year to complete part of the site improvements.

Speakers:

Mary Katherine Gibbs, representing the applicant.



SUP #2003-0008

04/01/03



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)(SUP #2001-0044)
2. A parking reduction is permitted for this particular applicant for the number of spaces shown on the parking plan as prepared by Artemel and Associates, provided that the use of the site may not change in a way that increases the parking demand, and provided that the applicant successfully completes all of the improvements to which it has committed including the creation of legal parking spaces on the site and on the public street. Minor adjustments due to final engineering of the plan may be made to staff's satisfaction. (PC) (SUP #2001-0044)
3. The applicant shall provide a parking demand analysis five years from this approval and in five year increments thereafter which include an employee count, employee parking demand and transit use, and any other factors of the use of the site which add to or reduce parking demands. (P&Z) (SUP #2001-0044)
4. The applicant shall implement the parking management plan represented in its parking analysis report, which includes, at a minimum, charging for parking, offering transit subsidies and participating in the Metrochek and JobLink programs. (P&Z) (SUP #2001-0044)
5. **CONDITION AMENDED BY STAFF:** The applicant shall work with staff, provide detailed, dimensioned plans for approval by Planning and Zoning, Transportation and Environmental Services, Code Enforcement and the Police, and shall implement the following site and building improvements:
 - a) a facade improvement program, to include painting the building, signage, awnings, windows, the conversion of loading doors to the extent practicable, and studying the feasibility of inserting the loading doors further into the building to accommodate trucks, if necessary based upon the size of the trucks delivering to the site. If it becomes apparent that the loading doors should be inserted into the building, the applicant shall have until December 2004 to do so.

- b) a landscaping plan generally consistent with the applicant's proposed plan, to include street trees along North Fayette Street and Madison Street, an improved North Henry Street frontage, and significant additional landscaping at the southeast and southwest corners of the site.
- c) a North Fayette Street frontage redesign program generally consistent with the applicant's proposed plan, to include the elimination of existing head in parking, and curb cut, repaving of the asphalt on-site, the creation of parallel on-site parking spaces, public on street parking spaces, curbing, sidewalk and street trees.
- d) an overall site improvement plan, including striping for parking spaces, lighting, dumpster location, with screening, and paving improvements.

LANGUAGE AMENDED BY PLANNING COMMISSION

The timing of the above improvements shall be as follows: all work on the North Henry Street and Madison Street sides of the building shall be completed by ~~one year of this approval~~ **December 31, 2003**; improvements to the North Fayette Street frontage shall be completed by December 31, ~~2003~~ **2004** (~~P&Z~~) (**P&Z**) (**PC**)

- 6. Loading at the site shall be limited to between 7:00 a.m. and 11:00 p.m Monday through Saturday. (P&Z) (SUP #2001-0044)
- 7. No vehicles, including trucks for loading/unloading are permitted to extend into the North Fayette Street frontage beyond the width of a parked vehicle at the public curb. (P&Z) (SUP #2001-0044)
- 8. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent properties to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #2001-0044)
- 9. All On-Site delivery vehicles shall park off the street when not in use. (PC) (SUP #2001-0044)
- 10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z) (SUP #2001-0044)
- 11. No materials or supplies shall be stored outside the building. (P&Z) (SUP #2001-0044)

12. The pole mounted Duron paint sign shall be removed at the termination of the Duron tenant lease; no pole mounted signs may thereafter be installed. (P&Z) (SUP #2001-0044)
13. The applicant shall apply for an encroachment approval for any use of the public right of way. (P&Z) (SUP #2001-0044)
14. A plot plan showing all improvements or alterations to the site shall be approved by the Department of Transportation & Environmental Services before a building permit may be issued. (T&ES) (SUP #2001-0044)
15. **CONDITION AMENDED BY STAFF:** Replace existing asphalt sidewalk on North Henry Street frontage with city standard concrete sidewalk, full width, from curb to property line ~~within three years of approval~~ **by December 31, 2003.** (PC) ~~(SUP #2001-0044)~~ **(P&Z)**
16. Repair asphalt paving behind the sidewalk on Madison Street side of property. (T&ES) (SUP #2001-0044)
17. Repave parking area on North Fayette Street frontage to the satisfaction of the Director of Transportation and Environmental Services. (PC) (SUP #2001-0044)
18. Provide a parking and striping plan satisfactory to the director of T&ES. Improvements to the right-of-way shall meet city design standards. (T&ES) (SUP #2001-0044)
19. Provide lighting within the parking lot and perimeter parking areas to meet minimum city standards. (T&ES) (SUP #2001-0044)
20. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit at two points in the future: ~~one year after On-site occupies the site~~ **in April 2004** and five years after approval **in June 2006.** At either point, the Director shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) ~~(SUP #2001-0044)~~ **(P&Z)**

DISCUSSION:

1. The applicant, On-Site Sourcing by Harry P. Hart, attorney, requests an amendment to the timing of improvements required in conjunction with the special use request for a parking reduction approved for the business located at 800-840 North Henry Street.
2. The subject property is one tax parcel of record, originally platted as 11 narrow lots, with 458 feet of frontage on North Henry Street, 247 feet of frontage on Madison Street and 437 feet of frontage on North Fayette Street. The parcel contains a total lot area of 113,100 square feet or 2.6 acres.

The site is developed with a one story industrial building that was built in 1955 and contains 69,859 square feet of floor area. The entire remainder of the site is paved for parking areas. Access to the parking is from North Henry Street, North Fayette Street and Madison Street.

Directly north of the site is the Carpenters Shelter building and Tony's Auto Service garage. To the east across Henry Street is the Samuel Madden Homes – Uptown public housing. South of the property across Madison Street is the block that is The Lofts, a residential development. To the west across North Fayette Street are three residential developments: the Braddock Place condominiums, Meridian at Braddock Station (formerly Potomac Club I and Potomac Club II apartments).

3. On June 16, 2001, City Council granted Special Use Permit #2001-0044 for a parking reduction. A parking reduction was required at that time because the reuse of the building by On-Site Sourcing constituted a change in use from the noncomplying uses that had occupied the building, requiring the applicant to comply with the current off-street parking requirements. A reduction of 68 spaces was permitted for the existing and proposed uses, including On-Site, provided the applicant implement the parking management plan it represented in its parking analysis report, which included, at a minimum, charging for parking, offering transit subsidies and participating in the Metrochek and JobLink programs. The applicant is also required to submit a parking demand analysis in Jun2006, and in five year increments thereafter, which includes an employee count, employee parking demand and transit use, and any other factors of the use of the site which add to or reduce parking demands.

4. The applicant also agreed to undertake extensive site improvements which were required under a four-part program which consists of the following components:
- facade improvements to include painting the building, signage, awnings, windows, the conversion of loading doors to the extent practicable;
 - landscaping to include street trees along North Fayette Street and Madison Street, an improved North Henry Street frontage, and significant additional landscaping at the southeast and southwest corners of the site;
 - redesign of North Fayette Street frontage to create parallel on-site parking spaces, public on street parking spaces, curbing, sidewalk and street trees;
 - general site improvements, including striping for parking spaces, lighting, dumpster location, with screening, and paving improvements.

The timing of the work was phased to coincide with the applicant's ability to occupy the entire site. Pursuant to Condition #5 of the special use permit, the work on the North Henry Street and Madison Street frontages was required to be completed by June 2002, and the improvements to the North Fayette Street frontage are required to be completed by the end of this year.

5. To date the applicant has completed the following site and building improvements:
- Additional striping of parking spaces on North Fayette Street;
 - Facade upgrades, including painting the building and installing coordinated awnings.
6. The applicant has not begun to implement the approved site improvements on any of the street frontages. The work on the North Henry and Madison Street frontages, which includes new sidewalks on both street frontages, new landscaping on Madison Street and the protection of the existing street trees on North Henry Street, was required to be completed by last June. The applicant has not begun work on the North Fayette Street frontage, which includes new on-street parking spaces, new sidewalk and street trees, and is required to be completed by the end of this year.

7. In January 2003, the applicant met with staff to request additional time to complete the required improvements and subsequently filed a special use permit application requesting permission to amend Condition #5 in order to allow them to complete the improvements to North Fayette Street by the end of this year and the other improvements on North Henry and Madison Streets by the end of 2004.
8. According to the applicant's attorney, the applicant has spent over \$94,000 but that sum includes painting, canopies, engineering and landscaping plans, planning consultation and the Metrochek program (see application and attached letters). The applicant's attorney further advised the applicant has received a cost estimate of over \$200,000 for the remaining work.

Planning and T&ES staff have suggested that the applicant seek additional cost estimates for the remaining work, believing that the single estimate they obtained was higher than expected given the scope of work. Staff also offered to provide the applicant with the contact information for the contractor used by the City and, according to T&ES staff, made numerous trips to the applicant's building, both at scheduled appointment times and others.

Recently, staff spoke with the applicant's attorney regarding this matter and was advised that the applicant would like to prepare a time line for the remainder of the improvements, and forward that information to staff for review. To date, staff has not received that information.

9. Zoning: The subject property is located in the CRMU-H/High density mixed use zone. Business and professional offices are permitted in the zone.
10. Master Plan: The site is located in Braddock Metro Area Small Area chapter of the Master Plan which designates the property for high density mixed use.

STAFF ANALYSIS:

Staff is very concerned about the applicant's request for additional time to complete the required site work. Staff worked very closely with the applicant on the scope and timing of the site improvements as part of the initial application for the parking reduction and recommended approval of the large reduction—68 spaces—with the understanding that the applicant would implement a parking management plan and provide a significant public benefit in the form of site improvements to the North Fayette, Madison and North Henry Street frontages. The existing language of Condition #5 reflects staff's understanding that the applicant was not able to fully occupy the building upon Council approval of the parking reduction and, therefore, the improvements were phased to coincide with the applicant's ability to fully occupy the space.

In addition, since it began occupying the building, the applicant has made primarily cosmetic facade improvements to the building. The applicant has not begun work on any of the street frontages. Moreover, the applicant has failed to provide any information about which improvements it could make in the short-term nor how and when the larger, more costly improvements will be undertaken and completed. Absent this information and any visible action on the part of the applicant to begin this work, staff cannot support the applicant's request for additional time. Staff therefore recommends against the applicant's request and has amended the language of Condition #5 to specify that all remaining improvements must be completed by December 31, 2003, with a one year review to ensure that the applicant has complied with this condition.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 On June 14, 2002 the City approved a development plan (PLT#2001-0009) for the required improvements to the site related to SUP #2001-0044.
- F-2 T&ES has no objections to the applicant's request for extending the time allowed for installation of the site improvements to the end of the year. However, T&ES suggests a one-year review for the purpose of monitoring the progress of the work. All existing T&ES conditions of SUP #2001-0009 are to remain.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 The applicant shall contact the Code Enforcement Bureau to determine what scope of work requires permits and inspections.
- C-4 A fire prevention code permit is required for the proposed operation.

Health Department:

No comments were received from this agency.

Police Department:

- F-1 No objections.

APPLICATION for SPECIAL USE PERMIT # 2003-0008

[] Change of Ownership or [X] Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 800-840 N. Henry Street

TAX MAP REFERENCE: 054.01-03-06

ZONE: CRMU-H

APPLICANT Name: On-Site Sourcing

Address: 800 N. Henry Street, Alexandria, VA 22314

PROPERTY OWNER Name: N HENRY ST REALTY CO LLC

Address: 800 N Henry St, Alexandria VA 22314

SITE USE: Request for amendment to SUP 2001-0044 to amend Condition No. 5 to modify the timing for site improvements.

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinance.

[X] **THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief.

Harry P. Hart

Print Name of Applicant or Agent


Signature

HART, CALLEY, GIBBS & KARP, P.C.

Mailing Address

(703) 836-5757

Telephone #

(703) 548-5443

Fax#

307 N. Washington St., Alex. VA 22314

City and State

Zip Code

January 29, 2003

Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: _____

Date & Fee Paid : _____ \$ _____

Legal Advertisement: _____

ADMINISTRATIVE ACTION: _____

Date

Director, Planning & Zoning

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2001-0044

Date approved: June / 16 / 2001
month day year

Name of applicant on most recent special use permit Same
Use Same

2. Describe below the nature of the **existing** operation in detail so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

Operations include long-term storage of legal documents, long-term storage of
computer-generated legal documents and conversion of paper documents to computer-
generated documents for ease of storage and retrieval.

3. Describe any **proposed** changes to the business from what was represented to the Planning Commission and City Council during the special use permit process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

None Proposed.

4. Is the use currently open for business? ☒ Yes ☐ No

If the use is closed, provide date closed: _____ / _____ / _____
month date year

5. Describe any proposed changes to the conditions of the special use permit:

The only change proposed is to the timing of the site improvements required by the
special Use Permit in Condition No. 5. Currently, the condition requires that
all work on the North Henry Street and Madison Street sides of the building be
completed by one year from date of approval and that improvements to the North
Fayette Street frontage be completed by December 31, 2003. On-Site Sourcing would
like to propose that all work on the North Henry Street and Madison Street sides of the
building be completed by December 31, 2004 and that completion of all improvements
to the North Fayette Street frontage remain December 31, 2003.

6. Are the hours of operation proposed to change? ☐ Yes ☒ No
If yes, list the current hours and proposed hours:

Current hours:

Proposed Hours

I

7. Will the number of employees remain the same? ☒ Yes ☐ No
If no, list the current number of employees and the proposed number:

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business? _____ Yes X No
If yes, describe the type of renovations and/or list any new equipment proposed:

9. Are you proposing a change in the service of alcoholic beverages? _____ Yes X No
If yes, describe the proposed changes:

10. Is off-street parking provided for your employees? X Yes _ No
If yes, how many spaces, and where are they located?

A total of 79 spaces are available on site.

11. Is off-street parking provided for your customers? X Yes _ No
If yes, how many spaces, and where are they located?

A total of 79 spaces are available on site.

12. Is there a proposed increase in the number of seats or patrons served? _____ Yes X No
If yes, describe the current number of seats or patrons and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed number of seats:

13. Are physical changes to the structure or interior space requested? _____ Yes ☒ No
 If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? _____ Yes ☒ No
 If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed number of seats:

15. The applicant is the (check one) ☒ Property owner ☐ Lessee
 _____ other, please describe: _____

16. The applicant is the (check one) ☒ Current business owner
☐ Prospective business owner _____ other, please describe:

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address. For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

Dennis Seynhaeve, 220 Wardour Dr., Annapolis, MD 22412 (13 %)

Sup 2003-0008

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART
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TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

OF COUNSEL
CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

December 6, 2002

Ms. Barbara Ross
Deputy Director, Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: On-Site Sourcing Special Use Permit #2001-0044
800-840 North Henry Street

Dear Ms. Ross:

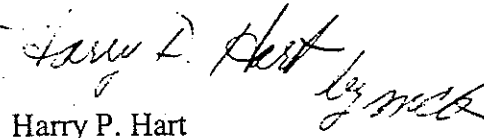
This letter is to request a meeting with you in order to adjust the schedule of exterior improvement requirements of On-Site Sourcing's special use permit. As you may know, they have spent considerable funds to complete some of work and to plan for the rest. In summary, they have expended a total of \$94,000.00 on painting, canopies, engineering plans, landscape plans, planning consultation and the Metro Check - all expenses related to the S.U.P conditions - during the past year. The remaining work to be done has been estimated at over \$200,000.00. They had planned to spend less than half of the amount that now has been and appears to be necessary to spend on these conditions.

That is a major load for a relatively new local company. Chris Weiler, President of On-Site Sourcing, really needs to discuss the necessity for and feasibility of reducing the load by amending the amount of work to be done and extending the time for completion.

We know that the City has no desire to drive him out of business. Mr. Weiler has no desire to be other than a good citizen making a healthy positive contribution to the community, which he is already doing in many ways.

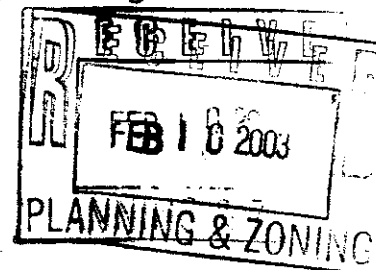
I will call during the next day or so to see if we can set up a meeting to discuss the matter well prior to the annual review of the S.U.P next month. We look forward to working with you.

Very truly yours,


Harry P. Hart

HPH/eah

cc: Chris Weiler



HART, CALLEY, GIBBS & KARP, P.C.

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CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

February 5, 2003

Ms. Barbara Ross, Deputy Director
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: On Site Sourcing, Special Use Permit # 2001-0044
800-840 N. Henry Street


Dear Ms. Ross:

As a result of our last meeting on January 16, 2003, we have submitted an application for an amendment of Special Use Permit # 2001-0044 to amend Condition No. 5 regarding the timing of the proposed improvements to the above referenced site for the reasons stated in our letter to you dated December 6, 2002. A copy of that letter is enclosed for your records.

As stated in that letter, On Site Sourcing has already expended over \$94,000.00 on painting, canopies, engineering plans, landscape plans, planning consultation and the Metro Check program, all expenses related to the SUP conditions. The remaining work to be done has been estimated at over \$200,000.00, an amount over and above the original estimates they received during the original SUP process by approximately 100%. As a result, On Site Sourcing would like to adjust the time line in their SUP to provide for completing the improvements along Fayette Street by the end of this year and completing the improvements along N. Henry Street and Madison Street by the end of 2004.

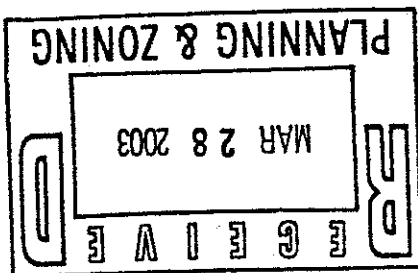
Thank you for your attention to this matter. We look forward to working with you towards the successful resolution of this issue.

Very truly yours,


Harry P. Hart

Enclosure

cc: Chris Weiler



SUP2003-0008

HART, CALLEY, GIBBS & KARP, P.C.

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CYRIL D. CALLEY

RETIRED
ROBERT L. MURPHY, 2001

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

March 28, 2003

VIA HAND-DELIVERY

Ms. Eileen Fogarty, Director
c/o Ms. Kathleen Beeton, Urban Planner
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item #8, SUP#2003-0008, On-Site Sourcing, 800-840 N. Henry Street

Dear Ms. Beeton:

On-Site Sourcing originally requested to amend the conditions of its existing special use permit regarding the timing of significant site improvements based on the significant costs of those improvements in the estimates received by On-Site above what was originally estimated. When the application was approved in June 2001, On-Site received a cost estimate of \$100,000.00 to complete the improvements. Upon receipt of an approved plan from the City, On-Site sought final bids for the work. Those bids came in at a price of over \$200,000.00, twice as much as was originally estimated. As a result, On-Site requested that they be permitted additional time to perform the required improvements, specifically, keep the N. Fayette Street improvements deadline for the end of 2003 and permit them until the end of 2004 to complete the N. Henry Street and Madison Street improvements.

Subsequently, in consultation with the City's T&ES staff, and the contractor used by the City to perform work in the City's rights-of-way, On-Site received the enclosed price proposal from D&F Construction, Inc., on March 19th. Based upon that estimate, which totals \$170,999.92, On-Site now seeks to change its request slightly, to permit it to complete the N. Henry Street and Madison Street improvements by the end of 2003 and complete the N. Fayette Street improvements by the end of 2004.

To that end, On-Site would like to suggest an amendment to the conditions listed in the Staff Report for the above referenced docket item:

Condition No. 5:

"The timing of the above improvements shall be as follows: all work on the North Henry Street and Madison Street sides of the building shall be

completed by December 31, 2003; improvements to the North Fayette Street frontage shall be completed by December 31, ~~2004~~ 2003."

In addition to the improvements listed as completed in the Staff Report, On-Site would also like the Staff to note that it has removed the free-standing sign that used to house the Duron Paint sign, as Duron has now vacated their leased space within the building.

On-Site Sourcing would also like to address certain concerns raised by their neighbors across N. Fayette Street. Mr. Henry Thomas represents the owners of the townhouses and the condominium building across N. Fayette Street. He has raised several concerns with Staff and has been in contact with representatives of On-Site. On-Site would like to remedy all of these concerns to the greatest extent possible to maintain a good relationship with its neighbors.

a.) Concern: Loading docks on N. Fayette Street are remaining open during the night and the noise from the interior is disturbing the neighbors late at night.

Solution: On-Site Sourcing will have the supervisor on duty during the third shift (11 p.m. to 7 a.m.) ensure that the loading docks remain closed after any delivery so that noise is kept inside the building at night.

b.) Concern: Lights on the rear of the building are new, are not shielded and are directed towards the townhouses across N. Fayette Street.

Solution: On-Site replaced the bulbs in the lights on the exterior of the building. The lights actually shine directly downward, but some light is spilling off of the property at this time. As the zoning code requires, On-Site will further shield the lights and will ensure that they are directed downward and not away from the building.

c.) Concern: Deliveries are occurring late into the night and the opening and closing of doors disturbs the neighbors across N. Fayette Street.

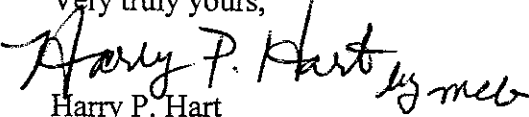
Solution: Deliveries of documents at night is generated by specific clients' needs, including clients in different time zones than ours. Late night deliveries occur on average once or twice per week, depending on the client's requirements, however during some weeks, no late night deliveries occur at all and during other weeks, the deliveries may be more frequent. The late shifts' employees will be required to keep any and all noise from those deliveries to a minimum.

d.) Concern: Employees on the late shift congregate on the N. Fayette Street side of the building on their breaks and disturb the neighbors late at night.

Solution: In response to concerns from Mr. Thomas, On-Site informed their employees that all breaks are to be taken on the N. Henry Street side of the building after 11:00 p.m. See the enclosed Memorandum dated October 17, 2002.

Ms. Eileen Fogarty, Director
March 28, 2003
Page 3

On-Site Sourcing hopes to maintain a good working relationship with its neighbors and hopes that it can continue to address any concerns raised by the neighbors. We will continue to work with Staff prior to the Planning Commission hearing on April 1, 2003.

Very truly yours,

Harry P. Hart

cc: Mr. Martin Lauzze

D & F CONSTRUCTION, INC.

4017 Penn-Belt Place

Forestville, MD 20747

(301) 516-8460 • Fax: (301) 516-8541

March 19, 2003

On-Site Sourcing

832 North Henry Street

Alexandria, VA 22314

Attn: Mr. Martin Lauzza

Re: 800-804 North Henry Street
City of Alexandria, VA

Dear Mr. Lauzza,

D&F Construction Company would like to thank you for the opportunity to provide the following price proposals for the work as depicted on the 800-804 North Henry Street site drawings, sheets 1 of 6 and 3 of 6, dated August 22, 2001. Our prices are as follows:

North Fawcett Street:

City of Alexandria \$31,190.60

D&F Construction \$61,394.00

Our price includes excavation, asphalt paving, two dumpster pads, concrete island, new entrance and striping. Our price excludes permits, testing, engineered layout, undercutting, electrical, lighting, signage and loading dock.

Madison Street:

City of Alexandria \$ 6,859.11

D&F Construction \$ 9,880.00

Our price includes overlay of existing asphalt paving. Our price excludes permits, testing, engineered layout, patching, milling, signage, electrical, lighting and striping. Our price does not include proposed green space modifications.

North Henry Street:

City of Alexandria \$14,979.21

D&F Construction \$28,782.00

Our price includes excavation, sawcut, median and island curb, topsoil, seed, bollards, and striping. Our price excludes permits, testing, engineered layout, grinding of existing striping, electrical, lighting, and signage.

All of the above prices are based on weekday work, one mobilization per street, with traffic control and parking restrictions posted by owner. Also, please include an add - alternate, in the amount of \$17,825.00 for the landscaping shown on the landscaping schedule, sheet 3 of 6.

Once again, D&F Construction thanks you for the opportunity to provide pricing for the above work. Should you require additional clarification, please feel free to contact me directly at 240-375-3559.

Sincerely,


Brian Compton
Project Manager

Memo

To: All ONS DC Employees
From: Martin Lauzze
CC: HR
Date: October 17, 2002
Re: Noise on Lafayette Street

Effective immediately no employees should enter or exit the back entrance on Lafayette Street

after 11pm at night or before 6:30am. Instead, please utilize the entrance on North Henry

between these times. There have been complaints regarding the noise levels from our

neighbors across the street on Lafayette. The only exception is if we have a delivery or pickup

between those times and then the loading dock will be utilized as expeditiously as possible.

APPLICATION for SPECIAL USE PERMIT # 2003-0008 9

[] Change of Ownership or [X] Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 800-840 N. Henry Street

TAX MAP REFERENCE: 054.01-03-06 ZONE: CRMU-H

APPLICANT Name: On-Site Sourcing

Address: 800 N. Henry Street, Alexandria, VA 22314

PROPERTY OWNER Name: N HENRY ST REALTY CO LLC

Address: 800 N Henry St, Alexandria VA 22314

SITE USE: Request for amendment to SUP 2001-0044 to amend Condition No. 5 to modify the timing for site improvements.

[] THE UNDERSIGNED hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia. THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinance.

[X] THE UNDERSIGNED hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief.

Harry P. Hart

Print Name of Applicant or Agent


Signature

HART, CALLEY, GIBBS & KARP, P.C.

Mailing Address

(703) 836-5757

Telephone #

(703) 548-5443

Fax#

307 N. Washington St., Alex. VA 22314

City and State

Zip Code

January 29, 2003

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____

Date & Fee Paid : _____ \$ _____

Legal Advertisement: _____

ADMINISTRATIVE ACTION: _____

See attached

Date

Director, Planning & Zoning

APPLICATION for SPECIAL USE PERMIT # 2003-0008

[must use black ink or type]

PROPERTY LOCATION: 800-840 N. Henry

TAX MAP REFERENCE: _____ ZONE: _____

APPLICANT Name: On Site Sourcing

Address: 800 N. Henry St.

PROPERTY OWNER Name: N Henry St. Realty Co LLC

Address: 800 N. Henry St. Alex. Va

PROPOSED USE: SUP amend ment - see original application form

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Print Name of Applicant or Agent

Signature

Mailing/Street Address

Telephone #

Fax #

City and State

Zip Code

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: 4/1/03 Recommend Approval 7-0

ACTION - CITY COUNCIL: 4/12/03PH--CC approved the Planning Commission recommendation.

SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 9

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Harry D. Hart
2. ADDRESS: 307 N. Washington St.
TELEPHONE NO. 703-836-5757 E-MAIL ADDRESS: HPH.HCB@verizon.net
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? The applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: ☒ AGAINST: OTHER:
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES ☒ NO

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.